

Clallam Transit System

Title VI Program

Adopted February 23, 2009 and last amended March 15, 2011

Purpose

The purpose of this policy is to establish guidelines to effectively monitor and ensure that Clallam Transit System (CTS) is in compliance with all FTA Title VI requirements and regulations in order to carry out the provisions of the Department of Transportation's (DOT) Title VI Regulations at 49 CFR Part 21.

Assurances

CTS assures that no person shall on the grounds of race, color, national origin, and sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by CTS regardless of whether those programs and activities are Federally funded or not.

To ensure accordance with 49 CFR Section 21.7, every application for financial assistance from FTA will be accompanied by an assurance that CTS will carry out the program in compliance with Title VI of the Civil Rights Act of 1964. This requirement shall be fulfilled when the applicant submits its annual certifications and assurances to FTA. The text of FTA's annual certifications and assurances is available on FTA's Web site.

Although it does not do so currently, in the event that Clallam Transit System distributes federal aid funds to another governmental entity or other sub-recipient, Title VI language will be included in all written agreements and be monitored for compliance.

CTS shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federally-Funded programs and, in adapted form all proposals for negotiated agreements.

CTS, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

Members of the public are currently notified of their rights under this program through a posting on the CTS website (Attachment A) and a notice included in published CTS schedules (Attachment B). In addition, postings on each bus invite the public to contact the agency (Attachment C).

Members of the public may contact Clallam Transit System to request additional information on its nondiscrimination obligations by calling (360) 452-1315 or (800) 858-3747.

Discrimination Complaint Procedure

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with CTS. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to CTS's General Manager for review and action.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a) The date of alleged act of discrimination; or
 - b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the General Manager or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of CTS, the General Manager shall be notified in writing of the circumstances surrounding the allegation no later than the next business day and the complainant shall be interviewed by the General Manager. If necessary, the General Manager will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to CTS's investigative procedures.
4. Within 10 days, the General Manager will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as the FTA.
5. CTS will advise the FTA and/or WSDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to the FTA:
 - a) Name, address, and phone number of the complainant.
 - b) Name(s) and address(es) of alleged discriminating official(s).
 - c) Basis of complaint (i.e., race, color, national origin or sex)
 - d) Date of alleged discriminatory act(s).
 - e) Date of complaint received by CTS.
 - f) A statement of the complaint.
 - g) Other agencies (state, local or Federal) where the complaint has been filed.
 - h) An explanation of the actions CTS has taken or proposed to resolve the issue raised in the complaint.
6. Within 60 days, the General Manager will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action. The complaint

should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

7. Within 90 days of receipt of the complaint, the General Manager will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights if they are dissatisfied with the final decision rendered by CTS. The General Manager will also provide the FTA and/or WSDOT with a copy of this decision and summary of findings upon completion of the investigation.
8. CTS maintains a list of active investigations, lawsuits, and/or complaints naming CTS that allege discrimination on the basis of race, color, or national origin. This list includes the date of the investigation, or the date the lawsuit or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit or complaint; and actions taken by CTS in response to the investigation, lawsuit, or complaint.
9. Contacts for the Title VI administrative jurisdictions are as follows:

Federal Transit Administration
Office of Civil Rights, Region 10
915 Second Avenue Suite 3142
Seattle, WA 98174
(206) 220-7954

WSDOT Office of Equal Opportunity
PO Box 47314
Olympia, WA 98504
360-705-7090

Investigations, Complaints or Lawsuits

As of March 15, 2011, CTS has no active lawsuits, investigations, or complaints alleging discrimination on the basis of race, color, or national origin with respect to service or other transit benefits. Customer complaints of any type, if any, and their resolution are reported each quarter to the Washington State DOT.

Compliance History (for the three years beginning March 2008):

Title VI related complaints:

Received	Status	Description of Complaint	Actions Taken
11/12/09	Closed	Customer claims she is being passed up because she is Eastern European and has an accent.	Wrote letter to passenger (issue was she didn't wave her flashlight and dresses in black)
March 2010	Closed	FTA received complaint regarding the hours that CTS provides complementary paratransit service.	The FTA found that CTS was not in violation of any FTA ADA regulations, took no further action, and closed the complaint.

Compliance Reviews: The Washington State DOT conducts periodic site visits during which WSDOT staff review compliance with applicable federal, state and local laws and regulations. The most recent reviews and the findings related to Title VI and actions taken are:

2008: No Site Review conducted by WSDOT.

March 30, 2009: WSDOT team recommended describing (1) how CTS ensures meaningful access to services and information for persons with limited English proficiency, and (2) adding another means of notifying the public of their rights under Title VI. These changes were made, incorporated into this policy in May 2009 and accepted by WSDOT on June 29, 2009.

March 19, 2010: WSDOT team recommended (1) an update to the ADA policy, and (2) posting the customer comment process on buses and the website. These changes were made (expanding opportunities for public participation) and accepted by WSDOT on May 27, 2010.

The next site review is expected to be scheduled during May 2011.

Public Participation

The CTS Board is comprised of elected officials representing the eastern, central, and western areas of the county and each of the three major towns. Annually they approve a meeting schedule and set meeting times and locations throughout the county that will best serve their constituents and ensure that the public has ample opportunity to comment and provide input.

CTS publishes notices of all public hearings and meetings in advance of the legally mandated time period to allow the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. The notices are published in the Peninsula Daily News and mailed to all radio stations in the county. Board meetings and public hearings are usually held in the early afternoon in various locations in the county that are convenient and accessible to all members of the community. When important issues are being considered (such as fare and service changes), multiple meetings are scheduled across the county, often with meetings held in both the early afternoon and evening in order to ensure the broadest access for those wishing to participate.

Summary of public outreach and involvement activities undertaken in the last 3 years (March 2008 through February 2011):

Public hearings are held every year before the Board approves the annual budget in December and the six-year transportation development plan in March. There is a newsprint and radio marketing program (including traffic reports by CTS dispatchers) that encourages public outreach and involvement. Booths are staffed at the annual Home Show in March and the County Fair in August. A Transportation Supervisor travels to schools and senior centers throughout the year to provide route familiarization and bus safety tips. In addition, the following major issues were presented for public input:

2008: The Board contracted with Perteet Inc. on April 21, 2008 to conduct public outreach and update the comprehensive plan. Public data gathering, though on-board and web-based surveys (together with extensive advertising) occurred in May and June. Stakeholder meetings (without CTS staff present) occurred in Forks, Port Angeles, and Sequim in late June. Perteet indicated that the rate of survey response was very high. Perteet and CTS staff conducted public comment meetings on the proposed plan December 2 and 3. Suggestions were taken

into account by the consultant in their final route change recommendations. A summary presentation of the proposed comprehensive plan was made to the public and the Board on December 15 and accepted by the CTS Board at its January 2009 meeting.

2009: At the February public meeting the Board considered and approved this Title VI Program.

2010: From February through May public hearings were held in Sequim, Forks, and Port Angeles on a proposal to raise fares and eliminate service on four holidays, at which many citizens testified that the service was valuable and warranted the increase in fares. The proposal was adopted at a public Board meeting in May and implemented July 1.

2011: Six public meetings were held at various times throughout the county in February 2011 regarding the elimination of low-ridership runs. As a result of public input, the Board amended the proposed service reduction plan, but retained the same level of cost savings.

Limited English Proficient (LEP) Persons

Clallam County does not have a LEP population of more than 5% or 1000 people so CTS has not developed a written LEP Plan or translated any of its vital documents. However, CTS does strive to reach the entire community, including LEP populations when conducting public outreach and involvement activities. Individuals with LEP who request information verbally can be referred to a translator for assistance. CTS publishes notices of all public hearings which offer foreign language interpreters, interpreters for people with hearing impairments, and taped information for people with visual impairments with advance notice.

CLALLAM TRANSIT ADMINISTRATION

/s/

Terry G. Weed
General Manager

Attachment "A"

CLALLAM TRANSIT SYSTEM'S TITLE VI NOTICE TO THE PUBLIC

(Posted on the CTS website)

Non-discrimination Policy and Procedure: Pursuant to Title VI of the Civil Rights Act of 1964 as amended, and the Civil Rights Restoration Act of 1987 (P.L. 100.259), Title II of the Americans with Disability Act, Environmental Justice regulations, and in accordance with applicable state and local laws: **Clallam Transit grants all citizens equal access to its transportation services.** If you believe that you have received discriminatory treatment by Clallam Transit on the basis of your race, color, sex, national origin, economic status, disability or limited English proficiency, you have the right to file a written complaint with the General Manager at the Clallam Transit System, 830 W. Lauridsen Blvd., Port Angeles, WA 98363, as well as with the Federal Transit Administration, Office of Civil Rights, Region 10, 915 Second Avenue, Suite 3142, Seattle, WA 98174. The complaint must be filed no later than 180 calendar days after the alleged discriminatory incident. For more information, view [Clallam Transit's Title VI Program](#) (click to follow link) or contact Clallam Transit at 360-452-1315 or (800) 858-3747.

Attachment “B”

CLALLAM TRANSIT SYSTEM'S TITLE VI NOTICE TO THE PUBLIC

(Published in the Bus Schedules available on all buses and where monthly passes are sold)

Non-discrimination Policy and Procedure:

Pursuant to Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disability Act, Environmental Justice regulations, and in accordance with applicable state and local laws: **Clallam Transit grants all citizens equal access to its transportation services.** If you believe that you have received discriminatory treatment by Clallam Transit on the basis of your race, color, sex, national origin, economic status, disability or limited English proficiency, you have the right to file a written complaint with the General Manager at the address below as well as with the Federal Transit Administration, Office of Civil Rights, Region 10, 915 Second Avenue, Suite 3142, Seattle, WA 98174. The complaint must be filed no later than 180 calendar days after the alleged discriminatory incident. For more information, contact Clallam Transit at 360-452-1315 or (800) 858-3747.

**Clallam Transit System
830 W. Lauridsen Boulevard
Port Angeles, WA 98363**

Attachment "C"

ONE EXAMPLE OF CLALLAM TRANSIT SYSTEM'S
INVITATION FOR PUBLIC FEEDBACK AND PARTICIPATION

(Posted inside each Bus)



We want to hear from you.

Tell us about your experience, share your ideas and give us your feedback.

Customers can contact Clallam Transit in the following ways:

Telephone: 360-452-4511 or 800-858-3747

Customer contact hours: 5:00 a.m. – 9:30 p.m. Monday - Saturday

E-mail: info@clallamtransit.com

Fax: 360-417-1380

Mail: 830 W. Lauridsen Blvd., Port Angeles, WA 98363

Customer concerns, complaints and commendations will be forwarded to the appropriate supervisor.

For more information visit our website at www.clallamtransit.com